

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)
Attorney Docket: 029065.48666C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop **PATENT APPLICATION**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

15535 U.S. PTO
10/627631
07/28/03


Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No. 09/956,095
Filed on September 20, 2001
Of Marc G. ACHEN et al.

Entitled: METHODS FOR TREATING NEOPLASTIC DISEASE CHARACTERIZED BY VASCULAR ENDOTHELIAL GROWTH FACTOR D EXPRESSION, FOR SCREENING FOR NEOPLASTIC DISEASE OR METASTATIC RISK, AND FOR MAINTAINING VASCULARIZATION OF TISSUE

Examiner: P. HUYNH
Group: 1644

X 1. Accompanying this order is a true copy of the prior application as originally filed including 44 claims (89 pages), Sequence Listing (Pages 1-6) and 21 Sheets of Formal Drawings showing Figs. 1-20.

— 2. New Formal drawings are being filed herewith consisting of — sheet(s), depicting Figures —.

X 3. Declaration and Power of Attorney:

- Newly executed (original or copy)
- X Copy from prior application
 - Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application

X 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as

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being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- 5. Cancel original claims _____.
- 6. Small entity status:
 - a. A small entity statement is enclosed
 - b. A statement of small entity status (copy attached) was filed on _____ in the prior application and status as a small entity is still proper and desired.
 - c. Is no longer claimed
- 7. Please enter the attached Preliminary Amendment prior to calculation of the filing fee.

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee		\$375	\$750
Total Claims	29 - 20 = 9 x 9 = \$		18 = \$ 162
Ind. Claims	6 - 3 = 3 x 42 = \$		84 = \$ 126
	Multiple Dependent Claims + 140 = \$		280 = \$
	Total	\$	\$1,038.00

- 8. Please charge my Deposit Account No. 05-1323 (Docket #029065.48666C1) in the amount of \$ 1,038.00.
- 9. A check in the amount of _____ to cover the filing fee is enclosed.
- 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #029065.48666C1).
- 11. Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 09/956,095, filed September 20, 2001...
- 12. Benefit is hereby claimed under 35 U.S.C. §120 of prior U.S. patent

application Serial Nos. 09/956,095 filed September 20, 2001; 09/796,714 filed on March 2, 2001; 60/186,361, filed March 2, 2000 and 60/234,196, filed September 20, 2000.

— 13. A certified copy of each said priority document was filed in application Serial No. on .

X 14. The prior application is assigned of record to Ludwig Institute for Cancer Research. The assignment was recorded on February 5, 2002 at reel 012562, frame 0136.

X 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

X a. The power appears in the original application papers in the prior application.

X b. a copy of the executed power of attorney as submitted in the prior application is enclosed.

— c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.

X d. Address all future correspondence to:

J. D. Evans
CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300

X 16. An Information Disclosure Statement and Form PTO-1449 are submitted herewith.

— 17. A Preliminary Amendment is being filed herewith.

X 18. Return Receipt Postcard.

X 19. Other: Request for Transfer of Computer Readable Form of Sequence Listing and Application Data Sheet

Please note that a Petition for a three-month extension of time is also being submitted today (July 28, 2003) in parent application Serial No. 09/956,095, filed September 20, 2001.

Respectfully submitted,

July 28, 2003


J. D. Evans
Registration No. 26,269

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JDE:dcb